

From: Floyd, Terry (DHS)
To: 'Microsoft.atr(a)usdoj.gov'
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Subject: Microsoft Settlement

I am a Microsoft Certified Systems Engineer whose livelihood depends on the continuing success of the company. As such, you'd think I'd be one of the people cheering most loudly for Microsoft to prevail in this long and difficult antitrust case. My own self-interest aside, however, I truly believe that Microsoft has done a great deal of harm to their competitors and the information technology industry as a whole through their insidious behavior. Beyond that, the more I learn about Microsoft's products, the less impressed I am with the quality of their technology. Just because they are the most successful software company in the world does not mean they make the best products. In many cases, their competitors have superior products, but they have so little power in the marketplace that they are struggling to survive in the current economic climate.

It has been proven beyond doubt that Microsoft violated the law with many of their business practices. Many other questionable practices that I have seen them implement over the past five to ten years were not even addressed during the antitrust trial. Microsoft is even now trying to prevent a competing product named Lindows from ever coming to market. Lindows is a new distribution of the open source Linux operating system that will have embedded WINE capability, allowing it to run Windows applications in a Linux environment. This is a truly innovative product with the potential to be quite successful. But Microsoft has filed a lawsuit against the small company that is developing Lindows, claiming that the very name of the product infringes upon their trademarked Windows operating system. Personally, I can see no way this suit can succeed, and I hope the judge who hears the case throws it out as being without merit, but Microsoft has the power and the resources to crush any and all of their competitors. Lindows is a small start-up company with a great idea, but few resources. Microsoft could use its legal warchest consisting of almost limitless money and attorneys to keep the product from ever being available to customers. So much for our freedom of choice.

Moreover, I believe Microsoft has violated other provisions of the Tunney act to lobby the government on its behalf. Last week, I received in the mail a brochure from a group named "Americans for Technology Leadership" which urged me to send an email to microsoft.atr@usdoj.gov to support Microsoft against attacks by their competitors. I normally throw these kinds of junk mail brochures in the garbage, but later that same day, I received a telephone call from someone at Americans for Technology Leadership who also urged me to send an email to voice my support for Microsoft and its struggle to "innovate." Now, being a curious fellow, I decided to visit the website of Americans for Technology Leadership at <http://www.techleadership.org>. I guess I shouldn't have been surprised that the site was cluttered with Microsoft advertisements. This group, a

supposedly "independent" organization of companies and individuals dedicated to limiting government regulation of technology, is actually funded primarily by Microsoft. I have a feeling that ATL had access to the names, addresses and phone numbers of all Microsoft Certified Professionals and was calling us to rally our support behind the company.

I don't really know whether or not this activity violates any laws, but I resent being used as a pawn in this legal circus. I urge you to take strong action against Microsoft to prevent them from using their monopoly power to prevent other companies from developing and marketing products and services that compete with their offerings. I believe in free minds and free markets and in the long run, I do believe the best products will prevail. If these products happen to come from Microsoft, then they deserve to succeed. But if such products come from Novell, or Red Hat, Caldera, or Sun, or Oracle or even Lindows, then these products at least deserve an equal chance to succeed.

I for one, will be one of the first in line to purchase Lindows if Microsoft will ever allow it to reach the marketplace.

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